THE HON'BLE SMT JUSTICE T.MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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W.P.NO.13072 OF 2007

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O R D E R (Per the Hon'ble Smt. Justice T.Meena Kumari)

Heard the counsel for the petitioner and Government Pleader for Services – II for respondents.

2. From the submissions of the counsel for the petitioner and as per the averments in the writ affidavit, it could be seen that the petitioner who was working as Regional Joint Commissioner of Endowments and is discharging the functions of Additional Commissioner by way of full additional charge, was issued with proceedings in Memo No.6156/Vig.IV/(1)/2004-4 dated 17.7.2006 awarding punishment of censure, alleged to be without conducting enquiry and challenging the same, the petitioner filed review and as no action was taken, he filed O.A.No.115/2007 before Andhra Pradesh Administrative Tribunal, questioning the very punishment and the Tribunal by way of interim order dated 10.1.2007, directed the Government to pass orders on the view petition within a period of four weeks and as no action was taken, the petitioner filed M.A.No.1819/2007 before the Tribunal to direct the Government to keep one post of Additional Commissioner vacant. Now the case of the petitioner is that he is having only ten months of service and in order to disqualify him from the post of Commissioner, his review was not disposed of and further the learned counsel for the petitioner

submitted that the proceedings of the Departmental Promotion Committee are going to be held today i.e., 21.6.2007 at 3-00 p.m. and as the petitioner is imposed with the punishment of censure, his case may not be considered for promotion. Therefore, he seeks direction to keep one post of Additional Commissioner vacant.

3. In view of the fact that the O.A.No.115/2007 filed by the petitioner questioning the very punishment is pending and also the review filed by the petitioner is also pending before the Government, we are of the opinion that no purpose would be served in directing the respondents to keep one post of Additional Commissioner vacant. Hence, we see no reason to interfere and the writ petition is dismissed at the stage of admission. No costs.

T.MEENA KUMARI,J

G.CHANDRAIAH,J

AVS

DATE:21.06.2007